

NOV-04-2005 13:50 From:

To: USPTO

RECEIVED

P.1/6

CENTRAL FAX CENTER

NOV 04 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031
U S Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

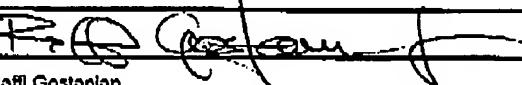
(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/023,674
Filing Date	12/18/2001
First Named Inventor	Jonathan E. Schmidt
Art Unit	2154
Examiner Name	Putol, Ashokkumar B.
Total Number of Pages in This Submission	6
Attorney Docket Number	

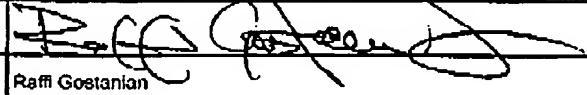
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement To The Substance Of An Interview
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	RG&Associates		
Signature			
Printed name	Raffi Gostanian		
Date	11/4/2005	Reg. No.	42,595

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Raffi Gostanian		
	Date	11/4/2005	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

NOV 04 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan E. Schmidt, et al.

Serial No.: 10/023,674

Filed: 12/18/2001

Title: **INTERNET PROVIDER SUBSCRIBER COMMUNICATIONS SYSTEM**

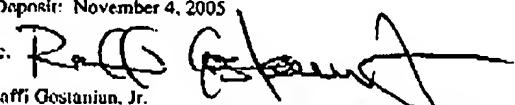
Art Unit: 2154

Examiner: Patel, Ashokkumar B.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FAXING
I hereby certify that this correspondence is being faxed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA at fax number
571-273-8300 on the date shown below.

Date of Deposit: November 4, 2005

Signature: 
Name: Raffi Gostanian, Jr.

STATEMENT OF THE SUBSTANCE OF AN INTERVIEW

This Statement provides the substance of a face-to-face interview that occurred on September 22, 2005 between Examiner Ashokkumar B. Patel, Inventor Jonathan E. Schmidt, and Patent Attorney Robert C. Curfiss regarding the above identified patent application. This Statement is an addendum to an amendment filed on September 28, 2005 via an RCE in response to an Office Action mailed on June 28, 2005. This Statement is in response to the Interview Summary (Confirmation No. 3270) mailed by the Examiner on October 4, 2005.

Statement to the Substance of the Interview begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

Statement to the Substance of the Interview:

According to MPEP Section 713.04, a complete and proper recordation of the substance of any interview should include at least the following applicable items (if applicable, a response will follow the item):

(A) a brief description of the nature of any exhibit shown or any demonstration conducted;

No exhibits were shown and no demonstrations were conducted.

(B) identification of the claims discussed;

Independent claim 1 was discussed.

(C) identification of specific prior art discussed;

Simmons (US 5,974,451), Brothers (US 6,438,125), and Castell (US 2002/0132607 A1).

(D) identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary form completed by the examiner;

The principal proposed amendment centered around the use of the word "upstream" to describe the type of web traffic data generated by a subscriber.

(E) the general thrust of the principal arguments of the applicant and the examiner should also be identified, even where the interview is initiated by the examiner. The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments can be understood in the context of the application file. Of course, the applicant may desire to emphasize and

fully describe those arguments which he or she feels were or might be persuasive to the examiner;

Previously presented claim 1 discloses, among other elements, instructing a subscriber to go to an originally requested site by transmitting a modified message to the subscriber to cause an inclusion of an original *upstream* flow of web traffic data for connecting the subscriber to the original destination URL.

Applicants believe that the cited prior art, either alone or in combination, do not disclose or suggest such a use of upstream data.

(F) a general indication of any other pertinent matters discussed;

Inventor Jonathan Schmidt described how the present invention was unique by examining the upstream data and causing the subscriber's browser to, itself, fetch both the bulletin and the original content. Further, the subscriber first makes his own connection to the desired destination and not to a proxy, and the subscriber receives all the data from the desired destination directly (from a real TCP/IP connection with that destination) and not from any device or intermediary system. As such, the present invention can service millions of outstanding messages to a million subscribers unlike proxy servers that may have the ability to service only thousands.

(G) if appropriate, the general results or outcome of the interview; and

Bob Curfiss suggested adding the term "upstream" before references to the data from the subscriber. Examiner Patel appeared to agree that such a term would be beneficial and he indicated that he would consider the change and update his search.

(H) in the case of an interview via electronic mail, a paper copy of the Internet e-mail contents MUST be made and placed in the patent application file as required by the

Federal Records Act in the same manner as an Examiner Interview Summary Form,
PTOL 413, is entered.

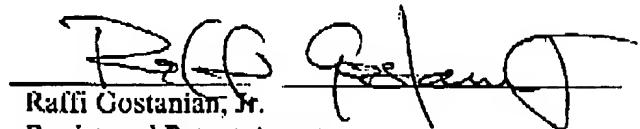
N/A

REMARKS

Applicants thank the Examiner for taking the time to meet and to discuss the pending application. Based on the aforementioned remarks and the amendment mailed on September 28, 2005, Applicants believe the present invention is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

Respectfully Submitted,



Raffi Costanian, Jr.
Registered Patent Agent
Reg. No. 42,595

Date: 11/4/05

RG & Associates
1103 Twin Creeks, Ste. 120
Allen, TX 75013